

**MINUTES**  
**TOWN OF EDGEWOOD**  
**REGULAR COUNCIL MEETING – MAY 7, 2008 @ 6:30 P.M.**  
**EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

**1. CALL TO ORDER.**

Mayor Stearley called the Meeting to order @ 6:30 P.M. All Councilors were present.

Also present were Mr. Marcus Rael, Town Attorney, Ms. Karen Mahalick, Manager, Community Planning & Development, and Ms. Estefanie Muller, Acting Administrator Clerk-Treasurer.

**2. PLEDGE OF ALLEGIANCE.**

Mayor Stearley had an announcement on Trigo Fire. The Town Office is accepting donations on behalf of the residents of the Trigo Fire. Contributions can be taken to the office and a pick up is scheduled for Tuesday May 13<sup>th</sup> and will be ongoing until further notice.

**3. APPROVAL OF AGENDA.**

**MOTION:** Councilor Hill made a motion to approve the agenda as presented. Councilor Simmons seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**4. MATTERS FROM THE MAYOR.**

A. Appointment of Two Members for the Parks & Recreation Advisory Committee. Mayor Stearley introduced Mr. Chris Meuli and Mr. Jim Edmiston as appointed Parks & Recreation Advisory Committee members and Council to re-appoint them.

**MOTION:** Councilor Felton made a motion to approve the Mayor Stearleys appointments of Mr. Chris Meuli and Mr. Jim Edmiston to the Parks and Recreation Advisory Committee. Councilor Simmons seconded the motion.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

B. North Central N.M. Economic Development District participation. Mayor Stearley is in receipt of a letter from the North Central New Mexico Economic Development District concerning membership in the organization at the cost of a small fee of \$210.00.

**MOTION:** Councilor Hill made a motion to participate by joining the NCNMEDD. Councilor Abrams seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Ms. Mahalick volunteered to be the Town's representative and will attend the NCNMEDD meetings.

**C. 2008 Intergovernmental Summit Planning – July 1, 2008.**

Mayor Stearley is in receipt of a letter from Santa Fe County Commissioner Harry Montoya describing an intergovernmental summit planning. The date for this is July 1, 2008. Mayor Stearley will ask the staff to talk to Mr. Montoya and find out what issues will be covered and report back to council.

Councilor Hill and Councilor Simmons expressed an interest in attending.

Mayor Stearley asked Ms. Muller to determine if it was possible for the council members to attend in place of him for this summit meeting.

**D. Appointment of a Planning & Zoning Commission Chairman.**

Planning Commissioner Del Ray is resigning due to health reasons. Mayor Stearley is looking for someone to serve as a Planning and Zoning Commissioner and is asking anyone interested to please contact the Mayor.

**E. Approval of Revised Organizational Chart.**

**MOTION:** Councilor Hill made a motion to table this decision until after the budget meetings. Councilor Abrams seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried

**5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.**

**F. Discussion to adopt a Policy to Re-name Streets – Councilor Felton.**

Councilor Abrams will bring information for different programs such as a Community Farms or Gardens for youth and family involvement that could benefit the local schools.

Councilor Simmons stated that in considering these programs, the Town Of Edgewood would need to address the question of water, water rights, liability, insurance and indemnification. Mayor Stearley agreed that these issues would need to be addressed before anything is done on Section 16.

Councilor Felton stated that he was looking at information about insurance

services and the Town of Edgewood ISO rating. It is in the Town's interest to bring that ISO rating down as a means to save money on insurance costs. Councilor Felton spoke to Fire Department in Chicago and they suggested that the Town of Edgewood request three reports. The letter can be faxed in and they will accept it from the Mayor or manager on the Town of Edgewood letterhead. Councilor Simmons asked what is the difference in the premium and the various ISO ratings.

Mayor Stearley stated he would make the official contact that Councilor Felton is asking for.

Councilor Felton discussed creating a written policy and procedure for Street Naming. Councilor Simmons stated there is an issue with Highway 333 and Edgewood 7. Ms. Mahalick stated that the State Highway Department Commission did not have sufficient standards in place for renaming and it was tabled during their meeting. This is according to Wanda Faught's office. The Town of Edgewood operates under the Santa Fe County GIS and adheres to their rules. They do our addressing and all of the naming on subdivisions and review. We have an informal agreement that keeps our E-911 up to date and we are working with the commission to solidify and to bring those standards forward as a written policy. Previously when Santa Fe County found that there was some sort of conflict with the roads; Ms. Mahalick would then contact the residents by letter and work with Santa Fe County to coordinate.

Councilor Hill discussed his trip to Washington D.C. and the discussion on policy issues for housing. Mayor Stearley stated that when the Town's sewer is online in January, the Town will see a push for housing. Councilor Hill stated that the Town of Edgewood has an opportunity to dictate the direction we go with housing issues. Maybe look at adopting some ordinances in our land use.

**5. MATTERS FROM THE ATTORNEY.**

G. Review of the COLTPAC Cooperative Agreement.

Mr. Rael stated that the COLTPAC Cooperative Agreement is still in the Review Process.

H. Update on Mr. Richard Trujillo.

Mr. Rael stated that Mr. Richard Trujillo was prosecuted and convicted in Municipal court for animal cruelty and abandonment.

**6. MATTERS FROM THE MUNICIPAL JUDGE.**

I. Judge White will present his report for the month of April, 2008.

Judge White reviewed his report with the Council.

**7. PUBLIC SAFETY.**

J. Update by Chief Welch.

Chief Welch stated that the Joint Powers of Agreement regarding regional communication center that was on the Agenda for the Santa Fe City Council meeting was tabled. The next meeting is scheduled for May 20, 2008.

Mayor Stearley stated that he will call the Mayor from the City of Santa Fe.

Councilor Felton asked how the hiring for officers was coming along and what would be the cost for training them? Chief Welch stated that he had interviewed three of six applicants and would interview more on Tuesday, May 13, 2008. Chief Welch also stated that he is only considering applicants that are already certified in New Mexico. Chief Welch stated that the portable radios and long guns are on back order. Mayor Stearley requested a summary of the schedules for employing five, six, or seven officers. Chief Welch stated that it would be available before the budget meeting on Saturday May 10, 2008. Councilor Simmons inquired about the residential requirements upon hire for the officers? Chief Welch stated at this time he did not have a residential requirement in place. This could be arranged at Councils request. Councilor Hill suggested looking into the HERO program for hired officers. The HERO program would assist officers with lower mortgage rates.

**8. COMMUNITY DEVELOPMENT AND TOWN ROADS REPORT.**

K. Update on Request for Proposals received for Professional Consulting Services. Ms. Mahalick stated that she had received five responses to the Request for Proposals for Engineering Services. Ms. Mahalick requested a Committee be appointed to evaluate the proposals and submit a recommendation to Council.

Mayor Stearley appointed himself, Ms Mahalick, and Norton Henninger to the Committee to evaluate the submitted proposals for Engineering Services.

L. Final Acceptance of the Frost Road Reconstruction Project.

**MOTION:** Councilor Hill made a motion to approve the final awarding of the Frost Rd. Reconstruction Project. Councilor Felton seconded the motion.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

M. Update Year To Date.

Ms. Mahalick stated building permits are down 46.31% in square footage and 29.03% in permitting. Councilor Hill stated the Albuquerque Metro Area permits are down almost 60% from last year.

Ms. Mahalick stated that larger size lots that are offered in our area could be what is allowing our percentage to remain above the national average and could provide statistics to this affect. Councilor Hill stated that Edgewood has a reputation for attracting Green Builders to the area.

**9. PARKS & RECREATION REPORT.**

N. Parks & Recreation Advisory Committee Report for the month of February, 2008.

O. Parks & Recreation Advisory Committee Report for the month of March, 2008.

P. Parks & Recreation Advisory Committee Report for the month of April, 2008.

**MOTION:** Councilor Hill made a motion to acknowledge receipt of the Parks & Recreation Advisory Committee Repots for the Months of

February, March, and April 2008. Councilor Abrams seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Q. Santa Fe County Funding for the YES Program and proposed M.O.U. Ms. Muller stated that she had received that M.O.U. for the YES program and the amount granted had been increased from the previous year. This year the program will receive \$53,200.00 dollars. The M.O.U. does break down what the expenses would need to be and the Town will invoice them for the full amount. At the end of the Program the Town Of Edgewood will submit an accounting of how it was spent. Mayor Stearley stated the funds would be sufficient for the completion of the Program.

R. Joint Powers Agreement Moriarty/Edgewood Municipal Schools/Town of Edgewood for the Y.E.S. Program. Mr. Holden stated the Agreement has been signed by all parties and ready to go.

Mr. Holden reported on the Wind Festival stating that attendance was good.

Mr. Holden announced that the Town of Edgewood Clean-Up is scheduled for this Saturday May 10, 2008 and also reminded everyone that there was a Star Party scheduled for Friday May 9, 2008. Melodrama is scheduled for May 24, 25, 2008

#### **10. ANIMAL CONTROL REPORT.**

S. Animal Control Report for the month of April 2008.

Ms. Murphy reported that Animal Control now had a schedule for summer hours: Hours of Operation are Monday 7:00 A.M. – 4:00 P.M., Tuesday – Friday 7:00 A.M. – 7:00 P.M., Saturday 8:00 A.M. – 4:00 P.M., Sundays they are on-call.

Ms. Murphy stated that volunteer Elaine Summerville has been successful at placing the Town of Edgewood Animal Control on Pet Finder. This will allow citizens to access the pets via the internet. She also reported on the Emergency Animal Triage training that both Officer Ring and she attended in Santa Fe.

T. Update on Field Policies and Procedures.

Ms. Murphy stated that she is in the process of updating the Field Policies and Procedures. She requested that animal control reserve officers be included in the manual. Ms. Murphy also stated that the Animal Control holding facility needed to be listed in the updated manual, as well as the new summer hours.

#### **12. PUBLIC COMMENTS. (Limit to 2 minutes per person).**

**Note: If you plan to testify under Public Hearings, please do not sign-up for the same topic.**

Ms. Jo White read a poem asking council to keep the Library on the active list for Section 16. She also asked that Benefactor Mark Jensen be Honored.

Ms. Sue West reported on an article by Ms. Cleaver. Ms. West felt that this was an attack on Parks and Recreation for the Town of Edgewood. Ms. West also stated that the Parks and Recreation events were essential to the community and she hoped the Mayor and Council would use this opportunity to bring the community together.

Mr. Burger asked Council and citizens to take a look at Entrada Del Norte as an example of the dust abatement that may be used as opposed to the high cost of paving.

Mr. Chuck Ring suggested the Council review the Road Department budget for road maintenance funds. He stated the Town has paid approximately \$300,000 to Santa Fe County and feels the Town should not have to pay them \$75,000 for dispatch or follow up with the ISO information. He also agrees with the library request earlier.

Ms. Anne House attended the USDA Rural Development presentation at the Chamber of Commerce luncheon and there are information packets available on funding. She commented on the Town's website and feels the information projects a negative narrative. She discussed her music and arts program and is still working on this.

Ms. Diane Stearley urged everyone participate in the Town of Edgewood Clean-Up going on this weekend. The Town will be providing trash bags, gloves, water, and the Chamber of Commerce will be providing pizza.

Ms. Monica Stoner thanked the Town Staff for the back up information that was available on the website.

Ms. Carol Ring stated the Town Council discuss the position of Administrator and hiring one and asked everyone to attend the Budget Meeting on Saturday.

Ms. Janelle Turner thanked the Town Staff for putting more information on the website. She commented on Square H Road not being on the dust suppressant schedule.

**13. APPROVAL OF PREVIOUS MINUTES.**

U. Regular Council Meeting Minutes of April 16, 2008.

**MOTION:** Councilor Simmons made a motion to approve the Regular Council meeting Minutes of April 16, 2008 as presented. Councilor Abrams seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted Aye. Councilor Simmons voted aye. The motion carried.

V. Budget Preparation Meeting Minutes of April 23, 2008.

**MOTION:** Councilor Simmons made a motion to approve the Budget Preparation Meeting minutes as presented. Councilor Hill seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

**14. FINANCE & ADMINISTRATION.**

W. Approval of Porch & Associates for Annual Audit Services.

Ms. Estefanie Muller stated this would year 2 of 3 of the contract with Porch & Associates. This year a single audit for the federal funding received is a part of the increased cost. Any federal funding exceeding \$500,000 requires a single audit and the wastewater project will be completed by the end of the fiscal year.

**MOTION:** Councilor Hill made a motion to approve Porch and Associates for Annual Audit Services. Councilor Simmons seconded the motion.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted Aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

**15. PUBLIC HEARING.**

**Quasi Judicial Procedure: Certification that Public Notice of this Meeting has been posted as required:** Ms. Mahalick affirmed that Public Notice has been posted.

**This case is being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and the swearing in of all parties giving testimony. The affected parties will have the right to cross-examine persons giving testimony.**

**Confirmation of no conflict of interest or ex-parte communication.**

Councilor Abrams stated he had no conflict of interest or ex-parte communication. Councilor Felton stated he had no conflict of interest or ex-parte communication. Councilor Hill disclosed that he had a conflict of interest due to relationship. He stated he is reserving the right to declare himself an affected party and testify on this matter. Councilor Hill recused himself and sat in the audience. Councilor Simmons stated she had no conflict of interest or ex-parte communication. Mayor Stearley stated that he had no conflict of interest or ex-parte communication.

X. Appeal of the Remand of the Planning & Zoning Commission approval of Final Plant for Phase I for Pueblo Artesanos.

**(ROLL CALL VOTE)**

The Council discussed receiving additional documents late today and feel they need to review the complete packet before proceeding.

**MOTION:** Councilor Felton made a motion to table this Hearing and reschedule it for a special session on Wednesday May 28, 2008 @ 6:30 P.M. Councilor Simmons seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Felton voted aye.  
Councilor Simmons voted nay. The motion carried.

**Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:** Ms. Mahalick affirmed that Public Notice has been posted.

Y. Request to amend Zoning Ordinance No. 2003-4: Section 19.D.4 – Commercial C-1, adding a new section for Rural Residential Zoning, adding performance standards for swimming pools and adding the definition of “Building Height Measurement.”

Ms. Mahalick reviewed the hand out at this time.

**(ROLL CALL VOTE)**

**MOTION:** Councilor Hill made a motion to adopt Clarification Section 19.D.4 – Commercial, adding a new section for Rural Residential Zoning, adding performance standards for swimming pools and adding the definition of “Building Height Measurement.”  
Councilor Felton seconded the motion.

**VOTE:** Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

**16. CALL FOR PUBLIC HEARING.**

Z. Call for a Public Hearing to adopt the 2007 Uniform Traffic Code during the June 4, 2008 Regular Council Meeting.

**(ROLL CALL VOTE)**

**MOTION:** Councilor Hill made a motion to Call for a Public Hearing to adopt the 2007 Uniform Traffic Code during the June 4, 2008 Regular Council Meeting. Councilor Hill seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**17. RESOLUTIONS.**

AA. Resolution No. 2008-34 – Creation of the Wastewater Treatment Plant Enterprise Fund.

**MOTION:** Councilor Hill made a motion to adopt Resolution No. 2008-34 – Creation of the Wastewater Treatment Plant. Councilor Felton seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hills voted aye. Councilor Simmons voted aye. The motion carried.



BB. Resolution No. 2008-35 – Resolution in Support of Western Heritage Days.

**MOTION:** Councilor Hill made a motion to approve Resolution No. 2008-35 – Resolution in Support of Western Heritage Days. Councilor Simmons seconded for discussion.  
Councilor Hill amended the motion to remove, “founded in the 1930’s”. Councilor Abrams seconded the motion.

**VOTE:** Councilor Abrams voted aye. Councilor Felton voted aye.  
Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**18. PROCLAMATIONS.**

CC. Municipal Clerks Week – May 4 through 10, 2008.

Mayor Stearley proclaimed that this week, May 4 through 10, 2008 as Municipal Clerks Week.

**19. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.**

DD. Budget Preparation Meeting – May 10, 2008 from 9:00 A.M. to 2:00 P.M.

- Animal Control, Regional Animal Control Shelter, Finance & Administration, Judicial, Legislative, Library, Parks & Recreation, I.C.I.P., Other Departments.

EE. Budget Preparation Meeting – May 14, 2008 @ 6:30 P.M.

- Complete Departments – Finish Budget.

FF. Regular Council Meeting – May 21, 2008 @ 6:30 P.M.

GG. Special Council Meeting – May, 28, 2008 @ 6:30 P.M.

Note: The Town Hall will be closed on Monday, May 26, 2008 in observance of Memorial Day.

**20. ADJOURN.**

**MOTION:** Councilor Simmons made a motion to adjourn the meeting.  
Councilor Felton seconded the motion.

**VOTE:** All Councilors voted aye.

Mayor Stearley adjourned the meeting at 9:37 P.M.

**APPROVED AND ADOPTED this 21<sup>st</sup> day of MAY, 2008.**

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Honorable Robert Stearley, Mayor

**ATTEST:**

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Estefanie B. Muller, Acting Administrator Clerk-Treasurer